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Director & State Health Officer

State of California—Health and Human Services Agency  
**California Department of Public Health**

DRINKING WATER FIELD OPERATIONS BRANCH  
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EDMUND G. BROWN JR.  
Governor

June 2, 2014

Ms. Holly Payson  
Hill Nine and Ten  
9104 Diamond Dust Trail  
Kelseyville, CA 95451

**CITATION NO. 02-03-14C-010 FOR PWS NO. 1700552  
BACTERIOLOGICAL MAXIMUM CONTAMINANT LEVEL VIOLATION**

Enclosed is a citation issued to the Hill Nine and Ten public water system.

Because this is an enforcement action for noncompliance with State regulations, your water system will be billed at the Department's hourly rate (currently estimated at \$126.00) for the time spent on issuing this citation. You will receive a bill sent from our Fee Billing Unit in Sacramento later this year. This bill will contain fees for any enforcement time spent on your water system.

If you have any questions regarding this matter, please contact Lori Hanson at (707) 576-2604.

Sincerely,

*Michelle F. Frederick*

Michelle F. Frederick, P.E.  
Mendocino District Engineer  
Drinking Water Field Operations Branch

Enclosures

c: Lake County Environmental Health Department

Duane Phelps  
9453 Diamond Dust Trail  
Kelseyville, CA 95451

1700552/Compliance-File #4  
02-03-14C-010-1700552-22/LSH

STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC HEALTH

**Name of Public Water System:** Hill Nine and Ten

**Water System No:** 1700552

**To:** Hill Nine and Ten  
9104 Diamond Dust Trail  
Kelseyville, CA 95451

**Issued:** June 2, 2014

**CITATION FOR NONCOMPLIANCE**  
**With Total Coliform Maximum Contaminant Level**

**April 2014**

Section 116650 of the California Health and Safety Code (CHSC), authorizes the issuance of a citation for failure to comply with a requirement of California Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit or order issued thereunder.

The Division of Drinking Water and Environmental Management of the State of California Department of Public Health (Department) hereby issues a citation to the Hill Nine and Ten (System) for failure to comply with Title 22, California Code of Regulations (CCR) Section 64426.1.



## APPLICABLE AUTHORITIES

Section 116650 of the CHSC states in relevant part:

(a) If the department determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the department may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.

(b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.

(c) A citation may specify a date for elimination or correction of the condition constituting the violation.

(d) A citation may include the assessment of a penalty as specified in subdivision (e).

(e) The department may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.

California Code of Regulations (CCR), Section 64426.1 states in relevant part:

(b) A public water system is in violation of the total coliform MCL {maximum contaminant level} when any of the following occurs:



- 1 (1) For a public water system which collects at least 40 samples per month,  
2 more than 5.0 percent of the samples collected during any month are  
3 total coliform-positive; or  
4 (2) For a public water system which collects fewer than 40 samples per  
5 month, more than one sample collected during any month is total  
6 coliform-positive; or  
7 (3) Any repeat sample is fecal coliform-positive or E. coli-positive; or  
8 (4) Any repeat sample following a fecal coliform-positive or E. coli-positive  
9 routine sample is total coliform-positive.

### 10 11 **STATEMENT OF FACTS**

12 The Department received laboratory results for five bacteriological samples  
13 collected during April 2014 from the distribution system of the Hill Nine and  
14 Ten water system. All samples were analyzed for the presence of total  
15 coliform bacteria. Four of the five samples tested positive for coliform  
16 bacteria. A raw water sample was also collected directly from Well 02. It  
17 was also positive for total coliform bacteria. No fecal coliform were found in  
18 either the well or the distribution system.  
19

### 20 21 **DETERMINATIONS**

22 The Department has determined the System violated Title 22 of the CCR,  
23 Section 64426.1, in that the System failed to comply with the maximum  
24 contaminant level (MCL) for total coliform bacteria during the month of April  
25 2014.  
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## DIRECTIVES

The Hill Nine and Ten is hereby directed to take the following actions:

1. Comply with Section 64426.1, Title 22, of the California Code of Regulations in all future monitoring periods.
2. Notify all persons served by the System of the MCL violation in conformance with Section 64463.4 and 64465, Title 22 of the CCR, and as follows:
  - a) Completion of Attachment A to include the name, address, and telephone number of a System representative as a source of additional information concerning the public notice. **You must also give a legible, written description (preferably typed) of the corrective actions taken by the water system to prevent this violation from occurring in the future. You must use the space provided in Attachment A for this written description.**
  - b) Provide the notice by mail or direct delivery, **after it has been completed in accordance with (a) above**, to each customer or service connection served by the System by **July 2, 2014**
  - c) Publish the notice contained in Attachment A, **after it has been completed in accordance with (a) above**, in a local newspaper of general circulation in the area served by the System (or weekly newspaper if no daily paper is available) for one day. The publication in a local newspaper must be completed by **July 2, 2014.**



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2 3. Pursuant to Section 64424(d), Title 22 of the CCR, the System shall  
3 collect five (5) routine bacteriological samples no later than **June 30,**  
4 **2014.** The results of these samples shall be submitted with the  
5 attached Compliance Certification form.  
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7  
8 4. The System shall complete the attached Compliance Certification form  
9 and return it to the Department within 10 days of the public notice  
10 being given to the system customers but in no case later than **July 14,**  
11 **2014. A copy of the notice published in the newspaper, a copy of**  
12 **the notice sent to the customers of the water system, and a copy**  
13 **of the laboratory results of the five bacteriological samples must**  
14 **be attached to the form.**  
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16  
17 5. All future bacteriological samples collected and submitted to the  
18 laboratory for total coliform analyses shall provide the free chlorine  
19 residual concentration in the water at the same point in the distribution  
20 system where the sample was collected.  
21

22 The Department reserves the right to make such modifications to this  
23 Citation, as it may deem necessary to protect public health and safety. Such  
24 modifications may be issued as amendments to this Citation and shall be  
25 effective upon issuance.  
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1 Nothing in this Citation relieves the System of its obligation to meet the  
2 requirements of the California Safe Drinking Water Act (CHSC, Division 104,  
3 Part 12, Chapter 4, commencing with Section 116270), or any regulation,  
4 standard, permit or order issued thereunder.  
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6 All submittals required by this Citation shall be submitted to the Department  
7 at the following address:  
8

9 Michelle F. Frederick, P.E.  
10 Department of Public Health  
11 Drinking Water Program  
12 50 D Street, Suite 200  
13 Santa Rosa, CA 95404

#### 14 **PARTIES BOUND**

15 This Citation shall apply to and be binding upon the System, its officers,  
16 directors, agents, employees, contractors, successors, and assignees.  
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#### 18 **SEVERABILITY**

19 The directives of this Citation are severable, and the System shall comply  
20 with each provision thereof notwithstanding the effectiveness of any  
21 provision.  
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# COMPLIANCE CERTIFICATION

Citation Number 02-03-14C-010

Name of Water System: HILL NINE AND TEN

System Number: 1700552

## Certification

I certify that the users of the water supplied by this water system were notified of the bacteriological violations of Title 22, California Code of Regulations (CCR) for the compliance period of April 2014.

### Required Action

### Date Completed

Complete Attachment A, as required in Directive 2(a)

Public Notification – Mail or Direct Delivery to all customers

Public Notification – Newspaper

Five Bacteriological Samples Collected & Analyzed


\_\_\_\_\_  
Signature of Water System Representative

\_\_\_\_\_  
Date

**Attach a copy of the notice sent to the customers, a copy of the notice published in the newspaper, and the laboratory results from the five water samples.**

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT  
NO LATER THAN JULY 14, 2014**

**Disclosure:** Be advised that Section 116725 and 116730 of the California Health and Safety Code states that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in county jail not to exceed one year, or by both the fine and imprisonment.



## **IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER**

Este informe contiene información muy importante sobre su agua potable. Tradúzcalo o hable con alguien que lo entienda bien.

### **Hill Nine and Ten Had Levels of Bacteria Above the Drinking Water Standard During April 2014**

Our water system recently violated a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what happened, what you should do, and what we did to correct the situation. Please share this information with other people who drink this water, especially those who may not have received this notice directly. You can do this by posting this notice in a public place or giving out copies by hand or mail.

#### **What happened?**

We routinely monitor our drinking water for contaminants. We collected five water samples to test for the presence of coliform bacteria in the drinking water during April 2014. Four of our samples showed the presence of coliform bacteria. The standard is that no more than 1 sample per month may test positive for bacteria. The positive samples were tested further for fecal coliform. **No fecal coliform or E. coli were found.** However, our drinking water exceeded the maximum contaminant level allowed for total coliform bacteria, as specified in Section 64426.1, Title 22 of the California Code of Regulations (CCR).

#### **What does this mean?**

The California Department of Public Health (Department) sets drinking water standards and has determined that the presence of total coliform bacteria is a possible health concern. Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially harmful, bacteria may be present. Coliforms were found in more drinking water samples than allowed. This was a warning of potential problems and a violation of the regulations.

#### **What should I do?**

You do not need to take corrective actions. This is not an emergency. If it had been, you would have been notified immediately.

People with severely compromised immune systems, infants, and some elderly may be at increased risk. These people should seek advice about drinking water from their health care providers. General guidelines on ways to lessen the risk of infection by microbes are available from EPA's Safe Drinking Water Hotline at (800) 426-4791.

If you have other health concerns related to the consumption of this water, you may wish to consult your doctor.

**Has the problem been resolved? What corrective actions have been taken to prevent this violation from occurring in the future?**

This notification of the public is being done in compliance with Section 64463.4, Title 22 of the CCR as a means of keeping the public informed.

Persons wishing more information should contact: \_\_\_\_\_  
(name)  
\_\_\_\_\_  
(address)  
\_\_\_\_\_  
(phone number)